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**Union County Counsel**

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Attorneys for Defendants: Union County and Union County Sheriff's Department,

**BY: Moshhood Muftau, Esq.**

**Second Deputy County Counsel**

**#02819 2006**

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STEVEN FERRARA

Plaintiff

vs.

DISTRICT COURT OF UNITED STATES  
THE DISTRICT OF NEW JERSEY

Civil Action No. 2:16-CV-09250 (JLL) (SCM)

Civil Action

UNION COUNTY PROBATION DEPARTMENT,  
UNION COUNTY CRIMINAL CASE  
MANAGEMENT, UNION COUNTY, STATE OF  
NEW JERSEY, UNION COUNTY SHERIFF'S  
DEPARTMENT, RAYMOND REYNOLDS,  
CHRISTINE SHALAYDA, JAMES MUDRAK,  
WENDI CABELL and JOHN DOES 1-10,  
Representing fictitious individuals and/or  
Entities, who may be responsible for the Plaintiff's  
Damages, in whole or in part

Defendant(s)

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**ANSWER TO COMPLAINT,  
SEPARATE DEFENSES,  
CROSSCLAIMS AND ANSWERS  
TO CROSSCLAIMS,  
JURY DEMAND AND DESIGNATION  
OF TRIAL COUNSEL**

Defendants, Union County and Union County Sheriff's Department, hereinafter referred to as "County defendants" say by way of Answer to the Complaint.

**NATURE OF THE CASE**

1. The County defendants neither admit or deny the stated allegations as they are legal conclusions contained in Paragraph 1 of the Nature of the Case.

**GENERAL ALLEGATIONS**

2. The County defendants neither admit or deny the allegations contained in Paragraph 2 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
3. The County defendants neither admit or deny the allegations contained in Paragraph 3 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
4. The County defendants neither admit or deny the allegations contained in Paragraph 4 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
5. The County defendants neither admit or deny the allegations contained in Paragraph 5 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
6. The County defendants neither admit or deny the allegations contained in Paragraph 6 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
7. The County defendants neither admit or deny the allegations contained in Paragraph 7 of General Allegations and are without sufficient information or

knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.

8. The County defendants neither admit or deny the allegations contained in Paragraph 8 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
9. The County defendants neither admit or deny the allegations contained in Paragraph 9 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
10. The County defendants neither admit or deny the allegations contained in Paragraph 10 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
11. The County defendants neither admit or deny the allegations contained in Paragraph 11 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
12. The County defendants neither admit or deny the allegations contained in Paragraph 12 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.

13. The County defendants neither admit or deny the allegations contained in Paragraph 13 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
14. The County defendants neither admit or deny the allegations contained in Paragraph 14 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
15. The County defendants neither admit or deny the allegations contained in Paragraph 15 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
16. The County defendants neither admit or deny the allegations contained in Paragraph 16 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
17. The County defendants neither admit or deny the allegations contained in Paragraph 17 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
18. The County defendants neither admit or deny the allegations contained in Paragraph 18 of General Allegations and are without sufficient information or

knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.

19. The County defendants neither admit or deny the allegations contained in Paragraph 19 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
20. The County defendants neither admit or deny the allegations contained in Paragraph 20 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
21. The County defendants neither admit or deny the allegations contained in Paragraph 21 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
22. The County defendants neither admit or deny the allegations contained in Paragraph 22 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
23. The County defendants neither admit or deny the allegations contained in Paragraph 23 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.

24. The County defendants neither admit or deny the allegations contained in Paragraph 24 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
25. The County defendants neither admit or deny the allegations contained in Paragraph 25 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
26. The County defendants neither admit or deny the allegations contained in Paragraph 26 of General Allegations and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
27. The County defendants deny the allegations contained in Paragraph 27 of the General Allegations as it pertains to Union County defendants only.
28. The County defendants deny the allegations contained in Paragraph 28 of the General Allegations of the Complaint.
29. The County defendants deny the allegations contained in Paragraph 29 of the General Allegations of the Complaint.
30. The County defendants deny the allegations contained in Paragraph 30 of the General Allegations of the Complaint.
31. The County defendants deny the allegations contained in Paragraph 31 of the General Allegations of the Complaint.

32. The County defendants deny the allegations contained in Paragraph 32 of the General Allegations of the Complaint.
33. The County defendants deny the allegations contained in Paragraph 33 of the General Allegations as it pertains to Union County defendants only.

**FIRST COUNT**

1. The County Defendants repeat the answers heretofore made to the allegations contained in the Nature of the Case and General Allegations of the Complaint and make the same a part hereof by reference thereto.
2. The County defendants neither admit or deny the allegations contained in Paragraph 2 of the First Count and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
3. The County defendants neither admit or deny the allegations contained in Paragraph 3 of the First Count and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
4. The County defendants neither admit or deny the allegations contained in Paragraph 4 of the First Count and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
5. The County defendants deny the allegations contained in Paragraph 5 of the First Count of the Complaint.

6. The County defendants neither admit or deny the allegations contained in Paragraph 6 of the First Count and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
7. The County defendants deny the allegations contained in Paragraph 7 of the First Count of the Complaint.
8. The County defendants deny the allegations contained in Paragraph 8 of the First Count of the Complaint.

**WHEREFORE**, County Defendants respectfully request that this action be dismissed, that Plaintiff take nothing by way of its prayer for relief or any relief whatsoever and that costs and other such relief as the Court may deem just and proper be awarded to the County Defendants.

**COUNT TWO**

1. The County Defendants repeat the answers heretofore made to the allegations contained in the Nature of the Case, General Allegations and the First Count of the Complaint and make the same a part hereof by reference thereto.
2. The County defendants neither admit or deny the allegations contained in Paragraph 2 of Count Two and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
3. The County defendants neither admit or deny the allegations contained in Paragraph 3 of Count Two and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.

4. The County defendants deny the allegations contained in Paragraph 4 of Count Two of the Complaint.
5. The County defendants deny the allegations contained in Paragraph 5 of Count Two of the Complaint.
6. The County defendants deny the allegations contained in Paragraph 6 of Count Two of the Complaint.
7. The County defendants neither admit or deny the allegations contained in Paragraph 7 of Count Two and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.

**WHEREFORE**, County Defendants respectfully request that this action be dismissed, that Plaintiff take nothing by way of its prayer for relief or any relief whatsoever and that costs and other such relief as the Court may deem just and proper be awarded to the County Defendants.

### **COUNT THREE**

1. The County Defendants repeat the answers heretofore made to the allegations contained in the Nature of the Case, General Allegations, First Count and Count Two of the Complaint and make the same a part hereof by reference thereto.
2. The County defendants neither admit or deny the allegations contained in Paragraph 2 of Count Three and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
3. The County defendants deny the allegations contained in Paragraph 3 of County Three of the Complaint.

4. The County defendants deny the allegations contained in Paragraph 4 of Count Three of the Complaint.
5. The County defendants neither admit or deny the allegations contained in Paragraph 5 of Count Three and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.

**WHEREFORE**, County Defendants respectfully request that this action be dismissed, that Plaintiff take nothing by way of its prayer for relief or any relief whatsoever and that costs and other such relief as the Court may deem just and proper be awarded to the County Defendants.

**COUNT FOUR**

1. The County Defendants repeat the answers heretofore made to the allegations contained in the Nature of the Case, General Allegations, First Count, Count Two and Count Three of the Complaint and make the same a part hereof by reference thereto.
2. The County defendants deny the allegations contained in Paragraph 2 of Count Four of the Complaint.
3. The County defendants deny the allegations contained in Paragraph 3 of Count Four of the Complaint.
4. The County defendants deny the allegations contained in Paragraph 4 of Count Four of the Complaint.
5. The County defendants deny the allegations contained in Paragraph 5 of Count Four of the Complaint.
6. The County defendants deny the allegations contained in Paragraph 6 of Count Four of the Complaint.

7. The County defendants deny the allegations contained in Paragraph 7 of Count Four of the Complaint.
8. The County defendants deny the allegations contained in Paragraph 8 of Count Four of the Complaint.
9. The County defendants deny the allegations contained in Paragraph 9 of Count Four of the Complaint.
10. The County defendants deny the allegations contained in Paragraph 10 of Count Four of the Complaint.

**WHEREFORE**, County Defendants respectfully request that this action be dismissed, that Plaintiff take nothing by way of its prayer for relief or any relief whatsoever and that costs and other such relief as the Court may deem just and proper be awarded to the County Defendants.

#### **COUNT FIVE**

1. The County Defendants repeat the answers heretofore made to the allegations contained in the Nature of the Case, General Allegations, First Count, Count Two, Count Three and Count Four of the Complaint and make the same a part hereof by reference thereto.
2. The County defendants neither admit or deny the allegations contained in Paragraph 2 of Count Five and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.

3. The County defendants neither admit or deny the allegations contained in Paragraph 3 of Count Five and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
4. The County defendants neither admit or deny the allegations contained in Paragraph 4 of Count Five and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
5. The County defendants neither admit or deny the allegations contained in Paragraph 5 of Count Five and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
6. The County defendants neither admit or deny the allegations contained in Paragraph 6 of Count Five and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
7. The County defendants neither admit or deny the allegations contained in Paragraph 7 of Count Five and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
8. The County defendants neither admit or deny the allegations contained in Paragraph 8 of Count Five and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.

**WHEREFORE**, County Defendants respectfully request that this action be dismissed, that Plaintiff take nothing by way of its prayer for relief or any relief whatsoever and that costs and other such relief as the Court may deem just and proper be awarded to the County Defendants.

**COUNT SIX**

1. The County Defendants repeat the answers heretofore made to the allegations contained in the Nature of the Case, General Allegations, First Count, Count Two, Count Three, Count Four and Count Five of the Complaint and make the same a part hereof by reference thereto.
2. The County defendants neither admit or deny the allegations contained in Paragraph 2 of Count Six and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
3. The County defendants neither admit or deny the allegations contained in Paragraph 3 of Count Six and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
4. The County defendants neither admit or deny the allegations contained in Paragraph 4 of Count Six and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
5. The County defendants neither admit or deny the allegations contained in Paragraph 5 of Count Six and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
6. The County defendants neither admit or deny the allegations contained in Paragraph 6 of Count Six and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
7. The County defendants neither admit or deny the allegations contained in Paragraph 7 of Count Six and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.

8. The County defendants neither admit or deny the allegations contained in Paragraph 8 of Count Six and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
9. The County defendants neither admit or deny the allegations contained in Paragraph 9 of Count Six and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.

**WHEREFORE**, County Defendants respectfully request that this action be dismissed, that Plaintiff take nothing by way of its prayer for relief or any relief whatsoever and that costs and other such relief as the Court may deem just and proper be awarded to the County Defendants.

**COUNT SEVEN**

1. The County Defendants repeat the answers heretofore made to the allegations contained in the Nature of the Case, General Allegations, First Count, Count Two, Count Three, Count Four, Count Five and Count Six of the Complaint and make the same a part hereof by reference thereto.
2. The County defendants deny the allegations contained in Paragraph 2 of Count Seven of the Complaint.
3. The County defendants deny the allegations contained in Paragraph 3 of Count Seven of the Complaint.
4. The County defendants deny the allegations contained in Paragraph 4 of Count Seven of the Complaint.
5. The County defendants deny the allegations contained in Paragraph 5 of Count Seven of the Complaint.

6. The County defendants deny the allegations contained in Paragraph 6 of Count Seven of the Complaint.
7. The County defendants deny the allegations contained in Paragraph 7 of Count Seven of the Complaint.
8. The County defendants deny the allegations contained in Paragraph 8 of Count Seven of the Complaint.
9. The County defendants deny the allegations contained in Paragraph 9 of Count Seven of the Complaint.
10. The County defendants deny the allegations contained in Paragraph 10 of Count Seven of the Complaint.

**WHEREFORE**, County Defendants respectfully request that this action be dismissed, that Plaintiff take nothing by way of its prayer for relief or any relief whatsoever and that costs and other such relief as the Court may deem just and proper be awarded to the County Defendants.

#### **COUNT EIGHT**

1. The County Defendants repeat the answers heretofore made to the allegations contained in the Nature of the Case, General Allegations, First Count, Count Two, Count Three, Count Four, Count Five, Count Six and Count Seven of the Complaint and make the same a part hereof by reference thereto.
2. The County defendants deny the allegations contained in Paragraph 2 of Count Eight of the Complaint.
3. The County defendants neither admit or deny the stated allegations as they are legal conclusions contained in Paragraph 3 of Count Eight of the Complaint.

4. The County defendants neither admit or deny the stated allegations as they are legal conclusions contained in Paragraph 4 of Count Eight of the Complaint.
5. The County defendants deny the allegations contained in Paragraph 5 of Count Eight of the Complaint.
6. The County defendants deny the allegations contained in Paragraph 6 of Count Eight of the Complaint.
7. The County defendants deny the allegations contained in Paragraph 7 of Count Eight of the Complaint.
8. The County defendants deny the allegations contained in Paragraph 8 of Count Eight of the Complaint.
9. The County defendants deny the allegations contained in Paragraph 9 of Count Eight of the Complaint.
10. The County defendants deny the allegations contained in Paragraph 10 of Count Eight of the Complaint.
11. The County defendants deny the allegations contained in Paragraph 11 of Count Eight of the Complaint.
12. The County defendants deny the allegations contained in Paragraph 12 of Count Eight of the Complaint.
13. The County defendants deny the allegations contained in Paragraph 13 of Count Eight of the Complaint.
14. The County defendants deny the allegations contained in Paragraph 14 of Count Eight of the Complaint.

15. The County defendants deny the allegations contained in Paragraph 15 of Count Eight of the Complaint.

16. The County defendants deny the allegations contained in Paragraph 16 of Count Eight of the Complaint.

**WHEREFORE**, County Defendants respectfully request that this action be dismissed, that Plaintiff take nothing by way of its prayer for relief or any relief whatsoever and that costs and other such relief as the Court may deem just and proper be awarded to the County Defendants.

**COUNT NINE**

1. The County Defendants repeat the answers heretofore made to the allegations contained in the Nature of the Case, General Allegations, First Count, Count Two, Count Three, Count Four, Count Five, Count Six, Count Seven and Count Eight of the Complaint and make the same a part hereof by reference thereto.
2. The County defendants neither admit or deny the allegations contained in Paragraph 2 of Count Nine and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
3. The County defendants neither admit or deny the allegations contained in Paragraph 3 of Count Nine and are without sufficient information or knowledge to form a belief as to the truth of the allegations contained therein and leaves Plaintiff to its proofs.
4. The County defendants deny the allegations contained in Paragraph 4 of Count Nine of the Complaint.
5. The County defendants deny the allegations contained in Paragraph 5 of Count Nine of the Complaint.

6. The County defendants deny the allegations contained in Paragraph 6 of Count Nine of the Complaint.
7. The County defendants deny the allegations contained in Paragraph 7 of Count Nine of the Complaint.
8. The County defendants deny the allegations contained in Paragraph 8 of Count Nine of the Complaint.

**WHEREFORE**, County Defendants respectfully request that this action be dismissed, that Plaintiff take nothing by way of its prayer for relief or any relief whatsoever and that costs and other such relief as the Court may deem just and proper be awarded to the County Defendants.

**TENTH COUNT**

1. The County Defendants repeat the answers heretofore made to the allegations contained in the Nature of the Case, General Allegations, First Count, Count Two, Count Three, Count Four, Count Five, Count Six, Count Seven, Count Eight and Count Nine of the Complaint and make the same a part hereof by reference thereto.
2. The County defendants deny the allegations contained in Paragraph 2 of the Tenth Count of the Complaint.
3. The County defendants deny the allegations contained in Paragraph 3 of the Tenth Count of the Complaint.
4. The County defendants deny the allegations contained in Paragraph 4 of the Tenth Count of the Complaint.
5. The County defendants deny the allegations contained in Paragraph 5 of the Tenth Count of the Complaint.

6. The County defendants deny the allegations contained in Paragraph 6 of the Tenth Count of the Complaint.
  7. The County defendants deny the allegations contained in Paragraph 7 of the Tenth Count of the Complaint.
  8. The County defendants deny the allegations contained in Paragraph 8 of the Tenth Count of the Complaint.
  9. The County defendants deny the allegations contained in Paragraph 9 of the Tenth Count of the Complaint.
  10. The County defendants deny the allegations contained in Paragraph 10 of the Tenth Count of the Complaint.
  11. The County defendants deny the allegations contained in Paragraph 11 of the Tenth Count of the Complaint.
  12. The County defendants deny the allegations contained in Paragraph 12 of the Tenth Count of the Complaint.
  13. The County defendants deny the allegations contained in Paragraph 13 of the Tenth Count of the Complaint.
- WHEREFORE**, County Defendants respectfully request that this action be dismissed, that Plaintiff take nothing by way of its prayer for relief or any relief whatsoever and that costs and other such relief as the Court may deem just and proper be awarded to the County Defendants.

**AFFIRMATIVE DEFENSES**

**FIRST SEPARATE DEFENSE**

Plaintiff's Complaint fails to state a claim upon which relief can be granted.

**SECOND SEPARATE DEFENSE**

To the extent that Plaintiff suffered any damages, which the Defendants expressly deny, Plaintiff's own negligence or other culpable conduct was the proximate cause thereof.

**THIRD SEPARATE DEFENSE**

Any liability that might otherwise be imposed upon the Defendants are subject to a reduction by the application of comparative negligence as set forth in N.J.S.A. § 59:9-4.

**FOURTH SEPARATE DEFENSE**

Defendants rely upon any and all defenses, immunities and protections of the New Jersey Tort Claims Act, N.J.S.A. § 59:1-1, et seq. and hereby places Plaintiff on notice that each and every statutory provision is hereby raised as a separate and affirmative defense throughout every stage of this matter. All parties are further placed on notice that the failure to specifically plead those defenses does not constitute a waiver.

**FIFTH SEPARATE DEFENSE**

Any recovery to which Plaintiff may be entitled to as against Defendants is subject to limitations and reductions as set forth in N.J.S.A. § 59:9-2.

**SIXTH SEPARATE DEFENSE**

The negligence, if any, on the part of Defendants, which Defendants expressly deny, was not the proximate cause of the injuries which may have been sustained by the Plaintiff.

**SEVENTH SEPARATE DEFENSE**

These Defendants are not liable to Plaintiff, as all acts were performed under absolute immunity pursuant to 42 U.S.C. § 1983, et seq. and N.J.S.A. § 59:5-2b(4).

**EIGHT SEPARATE DEFENSE**

These Defendants are not liable to Plaintiff as all acts were performed in good faith and pursuant to a qualified immunity under 42 U.S.C. § 1983, et seq. and N.J.S.A. § 59:3-3.

**NINTH SEPARATE DEFENSE**

All acts of Defendants were performed in good of faith, without malice and without intent to violate Plaintiff's rights.

**TENTH SEPARATE DEFENSE**

Plaintiff was not deprived of any right, privilege or immunity secured to him by the United States Constitution or any Act of Congress. The County Defendants preserve all defenses entitled to them under the United States Constitution or any Acts of Congress.

**ELEVENTH SEPARATE DEFENSE**

Plaintiff was not deprived of any rights, privileges, or immunities secured to him by the Constitution and Laws of the State of New Jersey. The County Defendants preserve all defenses entitled to them under the New Jersey State Constitution.

**TWELVETH SEPARATE DEFENSE**

Plaintiff is not entitled to recover punitive damages under N.J.S.A. § 2A:15-5.12

**THIRTEENTH SEPARATE DEFENSE**

These Defendants were not guilty of negligence and violated no duty owed to the Plaintiff.

**FOURTEENTH SEPARATE DEFENSE**

Plaintiff's claims against any individual officers are barred to the extent that such individual officers were acting within the scope of their employment and cannot be held individually liable for any such actions.

**FIFTEENTH SEPARATE DEFENSE**

These Defendants are immune from liability.

**SIXTEENTH SEPARATE DEFENSE**

The complaint fails to state the type of malice, evil motive, deliberate indifference or intent actionable under 42 U.S.C. § 1983.

**SEVENTEENTH SEPARATE DEFENSE**

Plaintiff's Monell claims fail because Plaintiff cannot establish a custom, policy or practice existed that resulted in a deprivation of his rights.

**EIGHTEENTH SEPARATE DEFENSE**

The Complaint is frivolous, a sham and states no substantial federal or state question.

**NINETEENTH SEPARATE DEFENSE**

Plaintiff is barred by Statute of Limitations.

**FRIVOLOUS ACTION NOTICE**

Defendants expressly reserve the right to pursue an action against Plaintiff at the conclusion of the case pursuant to the provisions of N.J.S.A. § 2A:15-59.1.

**WHEREFORE**, Defendants respectfully respect that this action be dismissed, that Plaintiff take nothing by way of its prayer for relief or any relief whatsoever and that costs and other such relief as the Court may deem just and proper be awarded to Defendants.

**CROSSCLAIM FOR CONTRIBUTION AND INDEMNIFICATION**

The answering County Defendants, by way of Cross-claim against all Co- Defendants.

**FIRST COUNT**

While denying any liability to the Plaintiff for the injuries and damages alleged, if adjudged liable, the answering County Defendants, assert that such liability is not morally culpable, but merely secondary, technical, vicarious and imputed, and the sole or primary liability is that of all Co-Defendants:

**WHEREFORE**, the answering County Defendants, demands damages from said Co-Defendants for any sum recovered against it by Plaintiff together with attorney's fees and costs of suit.

**SECOND COUNT**

While denying any liability to Plaintiff, if answering County Defendants are adjudged liable to Plaintiff, it then asserts that the Co-Defendants, are joint tort-feasors with it and therefore demands contribution from all Co-Defendants.

**WHEREFORE**, the answering County Defendants, demands damages from said Co-Defendants for any sums recovered against it by Plaintiff together with attorney's fees and costs of suit.

**ANSWER TO CROSS-CLAIMS**

County Defendants, by way of Answer to the Cross-claims made by any and all co-Defendants says: deny any and all allegations contained in any cross-claim and denies that any and all cross-claimants are entitled to the relief sought.

**WHEREFORE**, the County Defendants, demand judgment dismissing any and all cross-claims, together with attorney fees and costs of suit.

**JURY DEMAND**

Defendants hereby demand a trial by jury in this action for all issues triable by a jury.

**DESIGNATION OF TRIAL COUNSEL**

Defendants hereby designate Moshhood Muftau, Esq. as Trial Counsel.

DATED: 3-2-17

Robert E. Barry, Esq.  
Union County Counsel

**By: s/: Moshhood Muftau,**  
Moshhood Muftau, Esq.  
Second Deputy County  
Counsel

**CERTIFICATION**

I hereby certify that there are no other proceedings pending or contemplated with respect to the matter in controversy and there are no other parties who should be joined in this action.

I further certify that a copy of the within pleading was filed and served on all parties of record pursuant to Local Rule 11.2.

DATED: 3-2-17

Robert E. Barry, Esq.  
Union County Counsel

**By: s/: Moshhood Muftau**  
Moshhood Muftau, Esq.  
Second Deputy County  
Counsel